

Notice of Allowability

Application No.

10/826,759

Examiner

Lester L. Vanterpool

Applicant(s)

CHRETIEN ET AL.

Art Unit

3782

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the telephone interview on November 15, 2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Antony C. Edwards on November 15, 2006.

In claim 1, line 8, the language "an undeformed" has been deleted and replaced with -- a --.

In claim 1, line 18, the language "an undeformed" has been deleted.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: Claim 1 is deemed to be directed to a non-obvious improvement over the patented Numbers Amundson et al., (U.S. Patent Number 4685701), Hicks (U.S. Patent Number 3881267) and Dunning (U.S. Patent Number 6299119).

The prior art of record discloses rigid substantially planar members sized to support the shopping list when the shopping list is mounted with means to releasably mount the shopping list on the first surface of the planar member.

However, the prior of record does not disclose the shopping list in combination with the clip hingedly mounted by the hinge means to the second side of the planar member for rotation about the hinge between the closed position substantially flush against the second side of the planar member and the open position substantially **orthogonal** to the second side of the planar member, wherein in the open position, the clip is disposed to releasably mount onto the elongated handle, and wherein the means to releasably mount the planar member on the flat substrate is substantially planar and has the exterior surface opposite to the second side of the planar member wherein in the closed position the clip is retracted adjacent the second side of the planar member in the un-deformed planar state and is recessed behind the exterior surface so as to not interfere with operation of the means to releasably mount the planar member on the flat substrate.

Therefore, the primary reason for allowance of claim 1 is: "the rigid substantially planar member sized to support the shopping list in combination with the mounted of at least one clip hingedly mounted by the hinge means to the second side of the planar member for rotation about the hinged between the closed position substantially flush against the second side of the planar member and the open position substantially **orthogonal** to the second side of the planar member wherein, in the open position, the clip is disposed to releasably mount onto the elongated handle, and wherein the means

to releasably mount the planar member on the flat substrate is substantially planar and has the exterior surface opposite to the second side of the planar member and wherein in the closed position the clip is retracted adjacent the second side of the planar member in the planar state and is recessed behind the exterior surface so as to not interfere with operation of the means to releasably mount the planar member on the flat substrate." Therefore, the combination of the shopping list with the limitations of the clip as set forth in claim 1 defines over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.

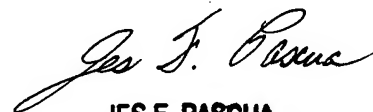
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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JES F. PASCUA
PRIMARY EXAMINER